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U.S. House of Representatives Committee on Energy and Commerce Washington, DC 20515-6115

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CHAIRMAN

August 6, 2003

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AUG 13 2003

Federal Communications Commission
Office of the Secretary

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JOHN A. BROQUETTE, STAFF DIRECTOR

The Honorable Michael K. Powell
Chairman
Federal Communications Commission
445 12th Street, S.W.
Washington, D C 20554

Dear Chairman Powell:

We wish to bring to your attention significant new evidence relevant to the Federal Communications Commission's (FCC) recent decision to weaken its media ownership rules. Attached is a July 25, 2003, letter from the Vice President/General Manager of WDAF-TV/FOX 4, a Fox Network owned and operated television station. The letter confirms what many of us in Congress have long suspected: the networks -- not the managers of their owned and operated stations -- make *all* program decisions for network owned and operated stations.

The letter, in response to a viewer complaint about the content of a Fox network program, candidly admits: "The Network, not WDAF-TV4, decides what goes on the air for the Fox Owned and Operated Television Stations." This statement, of course, directly contradicts assertions by the major networks to the Commission and to Members of Congress that the local managers of these stations are attuned to the needs and interests of local viewers and can preempt network programs they believe to be inappropriate for viewers in their local communities. The letter makes a mockery of "localism" and underscores why Congress initially allocated broadcast spectrum to diverse interests in order to better serve the needs of local communities. It also confirms that allowing networks to acquire stations in new markets, as the Commission did in increasing the national television ownership cap to 45 percent, will further diminish the number of television stations that have the ability to broadcast programs consistent with the values and tastes of the communities they serve.

We understand that parties will be asking the FCC to reconsider its ill-advised decision to weaken its national media ownership rules, and we expect the July 25 letter to be afforded significant weight in the FCC's deliberations. Accordingly, we request that this correspondence be placed in the record of the Commission's media ownership proceeding.

Sincerely,

JOHN D. DINGELL
RANKING MEMBER

RICHARD BURR
MEMBER

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The Honorable Michael K. Powell
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Attachment

cc The Honorable Kathleen Abernathy, Commissioner
Federal Communications Commission

The Honorable Kevin Martin, Commissioner
Federal Communications Commission

The Honorable Michael Copps, Commissioner
Federal Communications Commission

The Honorable Jonathan Adelstein, Commissioner
Federal Communications Commission



A Unit of Fox Television

3030 Summit

Kansas City, MO

64108

816-783-4587

July 25, 2003

Mr. Tim Maupin
Chapter Director, Kansas City Metro Chapter
Parents Television Council
P.O. Box 22641
Kansas City, MO 64113

Dear Mr. Maupin,

We received your letter dated June 30, 2003 regarding the content of the Keen Eddie show that aired on June 10, 2003 at 8pm.

We forwarded your letter to the FOX Network. The Network, not WDAF TV4, decides what shows go on the air for the FOX Owned and Operated Television Stations.

Sincerely,

Cheryl McDonald
Vice President/General Manager
WDAF-TV/FOX 4

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